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Michael Shappell

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EXAMINER

SONG, DAEHO D

ART UNIT

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/693,228	<b>Applicant(s)</b> SHAPPELL ET AL.	
	<b>Examiner</b> DAEHO D. SONG	<b>Art Unit</b> 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 March 2009.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8, 10-12, 15-17, 19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8, 10-12, 15-17, 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

***Applicant's Response***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03/03/2009 has been entered.

In Applicant's Response to RCE dated 03/03/2009, Applicant amended Claims 1, 6, 10-12, 15 and 17, canceled Claim 9, and argued against all rejections previously set forth in the Office Action dated 09/03/2008.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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1. Claims 1-2, 5-8, 10-12 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearson (U.S. Patent Application Pub. No. 2003/0028610) in view of La Vallee et al. (hereinafter La Vallee): U.S. Patent Application Pub. No. 2004/0039781, and further in view of Block et al. (hereinafter Block): U.S. Patent Application Pub. No. 2003/0050976.

Pearson teaches:

*Claim 1. A computer storage medium comprising computer executable code for creating a graphical user interface presented on a display in communication with a processor associated with a group interaction application for facilitating file sharing among a first member of a group and at least one other member of the group over a network, the computer executable code comprising code for displaying:*

*a group space comprising a first display area for providing an appearance of a shared file location in which at least one of the other group members may access (fig. 9; [0051]: a shared files pane/a first display area that presents a shared file in which another group member may access);*

*at least one control located in a second display area selectable by the first member to select at least one task associated with the group space and to activate one or more operations with respect to files located in the first display area, such that at least one other group member is automatically shown the result of the operations performed with respect to the files displayed in the first display area (fig. 9.; [0008][0011][0051]: a treeview control pane/a second display area in which a task is selectable with respect to*

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files and activated with an operation, and the first host computer generates a list of other host computers, which correspond to a list of group members where a user-selected file is stored); and

Pearson fails to expressly disclose:

*a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list wherein the list of group members includes an indication reflecting connection information for each group member.*

La Vallee expressly teaches:

*a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list wherein the list of group members includes an indication reflecting connection information for each group member* (figs. 4-7; [0037][0027]: presenting a group member's roster including specified roles, such as owner, member or invitee, and connection status of currently logged-on for group members).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include:

*a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the*

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*list wherein the list of group members includes an indication reflecting connection information for each group member, for the purpose of providing a way of offering capabilities to individuals to share folders with other individuals by means of inviting other members to join the group, as taught in La Vallee (see [0024]).*

Pearson, in view of La Vallee, fails to expressly disclose:

*a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member.*

Block expressly teaches:

*a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member (fig. 24: displaying a drop-down menu selectable by the first user for selecting a role for a group member).*

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson and La Vallee, to include:

*a second control located in the second display area, the second control including a drop-down menu selectable by the first user for defining one of a plurality of roles for the at least one other group member, for the purpose of facilitating an access change for a*

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particular user by means of a dropdown menu of access level values that can be assigned in a network environment, as taught in Block (see [0158]).

Pearson teaches:

*Claim 2. The computer storage medium as in claim 1, wherein the network is a peer-to-peer network ([0027]: the peer-to-peer network).*

Pearson further teaches:

*Claim 5:*

*The computer storage medium as in claim 1, wherein the group space is comprised of a subfolder that is displayed in a folder view (fig. 9.: the folder named "Arrivals" is a subfolder which is displayed within the folder of "OthNet").*

*Claim 6. The computer storage medium as in claim 1, wherein the first user may perform file system operations with respect to files in the shared space on the basis of permissions being granted to the first member ([0045]: "permission to share" is required by the file sharing administrator/the first user).*

*Claim 7. The computer storage medium as in claim 1, wherein said group space is assigned a unique identifier that is made available to the at least one other member*

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([0045]: generating a unique identifier for use by the host computers/group members of the file-sharing system).

*Claim 8. The computer storage medium as in claim 7, wherein each of the group members having access to said group space is assigned a unique identifier that is made available to the other group members ([0045]: a unique identifier in identifying files to be shared among the host computers/group members).*

*Claim 10. The computer storage medium as in claim 1 further comprising a second control located in the second display area, the second control selectable by the first member for adding at least one additional group member ([0028]: adding a new host computer/new member to the host list).*

*Claim 11. The computer storage medium as in claim 1, wherein the appearance of the first group space may be altered by the first member, and wherein the group interaction program further comprises means for causing the appearance of a corresponding group space displayed to the at least one other group member to also be altered consistent with the alteration of the first group space ([0065]: alterations on the files displayed with checked checkboxes on the user's host computer/the first user for sharing are consistent with the alterations of other host computers).*



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*Claim 12. The computer storage medium as in claim 1, further comprising computer executable code for displaying receiving an indication of a file dropped by the first member whereby a notification corresponding to the indication is automatically transmitted to the at least one other online group member ([0035]: indication of file receiving from a first member through a checklist used to keep track of requested file by other members).*

*Claims 15 and 16:*

The subject matter recited in Claims 15 and 16 corresponds to the subject matter recited in Claims 1 and 2, respectively. Thus Pearson, in view of La Vallee, Block and Markki, discloses every limitation of Claims 15-16, as indicated in the above rejections for Claims 1-2.

2. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearson in view of La Vallee and Block, and further in view of Markki et al. (hereinafter Markki): U.S. Patent Application Pub. No. 2004/0243672.

*Claim 3:*

As indicated in the above rejection, Pearson in view of Vallee and Block discloses every limitation of Claim 1.

Pearson in view of Vallee and Block fails to expressly disclose:

*the at least one task comprises a first computer file system task usable to perform a drag and drop operation with respect to files located in the first display area.*

Markki teaches:

*the at least one task comprises a first computer file system task usable to perform a drag and drop operation with respect to files located in the first display area ([0107]: performing a drag and drop operation with respect to files in a GUI window).*

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, Vallee and Block, to include:

*the at least one task comprises a first computer file system task usable to perform a drag and drop operation with respect to files located in the first display area, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).*

*Claim 4:*

Pearson in view of Vallee and Block fails to expressly disclose:

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*the at least one task comprises a first computer file system task usable to perform at least one of a copy, cut, paste or edit operation with respect to files located in the first display area.*

Markki teaches:

*the at least one task comprises a first computer file system task usable to perform at least one of a copy, cut, paste or edit operation with respect to files located in the first display area ([0093]: performing a copy operation with respect to files in a GUI window).*

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, Vallee and Block, to include:

*the at least one task comprises a first computer file system task usable to perform at least one of a copy, cut, paste or edit operation with respect to files located in the first display area, for the purpose of providing a way of offering capabilities to individuals to share the digital items with other individuals with the sharing technologies, as taught in Markki (see [0002]).*

3. Claims 17, 19 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pearson in view of La Vallee.

*Claim 17.*

Pearson expressly teaches:

*A method of forming a group space to enable interaction between a first user and at least one other user over a network comprising:*

*displaying to the first user via a first user display a group folder object having associated therewith a first selectable task for forming a group comprising the first user and at least one other user (fig. 9.; [0008][0011][0051]: displaying a group folder to a first user having associated with a task, which correspond to a list of group members where a user-selected file is stored);*

Pearson fails to expressly disclose:

*transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user; and receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user; displaying a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group member to the network.*

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La Vallee expressly teaches:

*transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user*

([0024]: sending an invitation to join the group from a first member to another member to initiate a group session among the members); *and*

*receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user* ([0027]-[0029]: receiving information in response to an invitation including IP address and a session identifier associated with the group member);

*displaying a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group member to the network* (figs. 4-7; [0037][0027]: presenting a group member's roster including specified roles, such as owner, member or invitee, and connection status of currently logged-on for group members).

Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the system, disclosed in Pearson, to include:

*transmitting from the first user a request to join the group by sending a communication over the network to a computing device used by the at least one other user to initiate a group communication session between the first user and the at least one other user;*

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*and receiving a response to the invitation request by receipt of a unique numeric identifier associated with the at least one other user; displaying a selectable indicator for visually presenting a group member list to the first user, the group member list including an indication field of a role for each of the members in the list wherein the list of group members includes indicia concerning connection by each group member to the network, for the purpose of providing a way of offering capabilities to individuals to share folders with other individuals by means of inviting other members to join the group, as taught in La Vallee (see [0024]).*

Pearson further teaches:

*Claim 19. The method according to claim 17, further comprising presenting a group space to the first user in response to receipt of the selection of the task wherein the group space includes a second selectable group icon associated with a list of members comprising the first user and at least one other user who is a member of the group (fig. 9: presenting a second selectable group icon associated with a group list in response to the selection of the task).*

*Claim 20. The method according to claim 19, wherein the network comprises a peer-to-peer network ([0027]).*

***Response to Arguments***

4. Applicant's arguments against the rejections based on 35 U.S.C. 102 & 103 with respect to Claims 1-20 have been considered but are moot in view of the new grounds of rejection.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 5712724088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daeho D Song/

Examiner, Art Unit 2176

/WILLIAM L. BASHORE/  
Supervisory Patent Examiner, Art Unit 2175